



General Assembly

Amendment

January Session, 2005

LCO No. 7660

SB0099107660SD0

Offered by:

SEN. FONFARA, 1st Dist.

SEN. DUFF, 25th Dist.

To: Subst. Senate Bill No. **991**

File No. 25

Cal. No. 60

**"AN ACT CONCERNING REVISIONS TO THE PUBLIC UTILITY
STATUTES."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 16-245p of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2005*):

5 (a) An electric supplier and an electric distribution company
6 providing standard service or back-up electric generation service,
7 pursuant to section 16-244c, shall submit information to the
8 Department of Public Utility Control that the department, after
9 consultation with the Consumer Education Advisory Council,
10 established under section 16-244d, determines will assist customers in
11 making informed decisions when choosing an electric supplier,
12 including, but not limited to, the information provided in subsection
13 (b) of this section. Each supplier or electric distribution company
14 providing standard service or back-up electric generation service,

15 pursuant to section 16-244c, shall, at such times as the department
16 requires, but not less than annually, submit [, on] in a form prescribed
17 by the department, [quarterly reports containing information on rates]
18 information that the department must make available pursuant to
19 subsection (b) of this section and any other information the department
20 [deems] considers relevant. [, including, but not limited to, any change
21 in the information as required by the department.] After the
22 department has received the information required pursuant to this
23 subsection, the supplier shall be eligible to receive customer marketing
24 information from electric or electric distribution companies, as
25 provided in section 16-245o.

26 (b) The Department of Public Utility Control shall maintain and
27 make available to customers upon request, a list of electric aggregators
28 and the following information about each electric supplier and each
29 electric distribution company providing standard service or back-up
30 electric generation service, pursuant to section 16-244c: (1) Rates and
31 charges; (2) applicable terms and conditions of a contract for electric
32 generation services; (3) the percentage of the total electric output
33 derived from each of the categories of energy sources provided in
34 subsection (e) of section 16-244d, the total emission rates of nitrogen
35 oxides, sulfur oxides, carbon dioxide, carbon monoxide, particulates,
36 heavy metals and other wastes the disposal of which is regulated
37 under state or federal law at the facilities operated by or under long-
38 term contract to the electric supplier or providing electric generation
39 services to an electric distribution company providing standard service
40 or back-up electric generation service, pursuant to section 16-244c, and
41 the analysis of the environmental characteristics of each such category
42 of energy source prepared pursuant to subsection (e) of said section 16-
43 244d and to the extent such information is unknown, the estimated
44 percentage of the total electric output for which such information is
45 unknown, along with the word "unknown" for that percentage; (4) a
46 record of customer complaints and the disposition of each complaint;
47 and (5) any other information the department determines will assist
48 customers in making informed decisions when choosing an electric

49 supplier. The department shall [update the information at least
50 quarterly] make available to customers the information filed pursuant
51 to subsection (a) of this section not later than thirty days after its
52 receipt. The department shall put such information in a standard
53 format so that a customer can readily understand and compare the
54 services provided by each electric supplier.

55 (c) Each electric supplier and electric distribution company shall
56 disclose to customers, in a manner prescribed by the department and
57 not less than annually, such information as the department considers
58 relevant. The department may adopt regulations, in accordance with
59 the provisions of chapter 54, to implement the provisions of this
60 subsection.

61 Sec. 2. Section 16-262i of the general statutes is repealed and the
62 following is substituted in lieu thereof (*Effective October 1, 2005*):

63 (a) The Department of Public Utility Control shall adopt regulations
64 necessary to carry out the purposes of sections 16-262c to 16-262h,
65 inclusive.

66 (b) The department may adopt regulations in accordance with the
67 provisions of chapter 54, setting forth the terms and conditions under
68 which electric, electric distribution, gas, telephone and water
69 companies, electric suppliers, certified telecommunications providers
70 and municipal utilities furnishing electric, gas or water service may be
71 prohibited from terminating service to a residential dwelling on
72 account of nonpayment of a delinquent account in the name of the
73 former spouse or spouse of the individual who occupies the dwelling,
74 if the marriage of such individuals has been dissolved or annulled or
75 such individuals are legally separated or have an action for dissolution
76 or annulment of a marriage or for legal separation pending, pursuant
77 to chapter 815j.

78 (c) The department may adopt regulations, in accordance with the
79 provisions of chapter 54, setting forth the terms and conditions under
80 which electric distribution, gas, telephone and water companies,

81 electric suppliers, certified telecommunications providers and
82 municipal utilities furnishing electric, gas, telecommunications or
83 water service may terminate service for reasons other than
84 nonpayment of a delinquent account.

85 Sec. 3. Section 16-331c of the general statutes is repealed and the
86 following is substituted in lieu thereof (*Effective October 1, 2005*):

87 Each community antenna television company, as defined in section
88 16-1, shall annually contribute to the advisory council in its franchise
89 area an amount not less than two thousand dollars. An advisory
90 council may at its option receive any or all of its funding through in-
91 kind services of the community antenna television company. Each
92 advisory council shall annually, on January [first] thirty-first, provide
93 the Department of Public Utility Control with an accounting of any
94 funding or services received.

95 Sec. 4. Subsection (f) of section 16-256i of the general statutes is
96 repealed and the following is substituted in lieu thereof (*Effective*
97 *October 1, 2005*):

98 (f) A telecommunications company, or its affiliate or authorized
99 representative using telemarketing to initiate the sale of
100 telecommunications services, which the department determines, after
101 notice and opportunity for a hearing as provided in section 16-41, has
102 failed to comply with the provisions of this section or section 16-256j
103 shall pay to the state a civil penalty of not more than [five] ten
104 thousand dollars per violation.

105 Sec. 5. Section 7-374 of the general statutes is repealed and the
106 following is substituted in lieu thereof (*Effective July 1, 2005*):

107 (a) As used in this section, "town" includes each town, consolidated
108 town and city and consolidated town and borough; "municipality"
109 excludes each town and includes each other independent and
110 dependent political and territorial division and subdivision.

111 (b) No town and no municipality coterminous with or within such
112 town shall incur any indebtedness in any of the following classes
113 through the issuance of bonds which will cause the aggregate
114 indebtedness, in that class, of such town and of all municipalities
115 coterminous with and within such town, jointly, to exceed the multiple
116 stated below for each class times the aggregate annual receipts of such
117 town and of all municipalities coterminous with and within such town,
118 jointly, from taxation for the most recent fiscal year next preceding the
119 date of issue: (1) All debt other than debt for urban renewal projects,
120 water pollution control projects, school building projects, as defined in
121 section 10-289, and the funding of an unfunded past benefit obligation,
122 as defined in section 7-374c, two and one-quarter; (2) debt for urban
123 renewal projects, three and one-quarter; (3) debt for water pollution
124 control projects, three and three-quarters; (4) debt for school building
125 projects, as defined in section 10-289, four and one-half; (5) debt for the
126 funding of an unfunded past benefit obligation, as defined in section 7-
127 374c, three; and (6) total debt including subdivisions (1), (2), (3), (4) and
128 (5) of this subsection, seven. In the computation of annual receipts
129 from taxation, there shall be included as such receipts interest,
130 penalties, late payment of taxes and payments made by the state to
131 such town and to municipalities coterminous with and within such
132 town under section 12-129d and section 7-528. In computing such
133 aggregate indebtedness, there shall be excluded each bond, note and
134 other evidence of indebtedness (i) issued in anticipation of taxes; (ii)
135 issued for the supply of water, for the supply of gas, for the supply of
136 electricity, for the construction of subways for cables, wires and pipes,
137 for the construction of underground conduits for cables, wires and
138 pipes, for the construction and operation of a community antenna
139 television system and for two or more of such purposes; (iii) issued in
140 anticipation of the receipt of proceeds from assessments which have
141 been levied upon property benefited by any public improvement; (iv)
142 issued in anticipation of the receipt of proceeds from any state or
143 federal grant for which the town or municipality has received a written
144 commitment or for which an allocation has been approved by the State
145 Bond Commission or from a contract with the state, a state agency or

146 another municipality providing for the reimbursement of capital costs
147 but only to the extent such indebtedness can be paid from such
148 proceeds; (v) issued for water pollution control projects in order to
149 meet the requirements of an abatement order of the Commissioner of
150 Environmental Protection, provided the municipality files a certificate
151 signed by its chief fiscal officer with the commissioner demonstrating
152 to the satisfaction of the commissioner that the municipality has a plan
153 for levying a system of charges, assessments or other revenues which
154 are sufficient, together with other available funds of the municipality,
155 to repay such obligations as the same become due and payable; and
156 (vi) upon placement in escrow of the proceeds of refunding bonds,
157 notes or other obligations or other funds of the municipality in an
158 amount sufficient, together with such investment earnings thereon as
159 are to be retained in said escrow, to provide for the payment when due
160 of the principal of and interest on such bond, note or other evidence of
161 indebtedness. "Urban renewal project", as used in this section, shall
162 include any project authorized under title 8, the bonds for which are
163 not otherwise, by general statute or special act, excluded from the
164 computation of aggregate indebtedness or borrowing capacity. In the
165 case of a town that is a member of a regional school district, a portion
166 of the aggregate indebtedness of such regional school district shall be
167 included in the aggregate indebtedness of such town for school
168 building projects for the purposes of this section. Such portion shall be
169 determined by applying to the indebtedness of the district, other than
170 indebtedness issued in anticipation of the receipt by the district of
171 payments by its member towns or the state for the operations of such
172 district's schools and of proceeds from any state or federal grant for
173 which the district has received a written commitment or for which an
174 allocation has been approved by the State Bond Commission or from a
175 contract with the state, a state agency or another municipality
176 providing for the reimbursement of capital costs but only to the extent
177 such indebtedness can be paid from such proceeds, such member
178 town's percentage share of the net expenses of such district for the
179 most recent fiscal year next preceding the date of issue payable by such
180 town as determined in accordance with subsection (b) of section 10-51.

181 Sec. 6. Subdivision (1) of subsection (b) of section 16-244c of the
182 general statutes is repealed and the following is substituted in lieu
183 thereof (*Effective July 1, 2005*):

184 (b) (1) (A) On and after January 1, 2004, each electric distribution
185 company shall make available to all customers in its service area, the
186 provision of electric generation and distribution services through a
187 transitional standard offer. Under the transitional standard offer, a
188 customer shall receive electric services at a rate established by the
189 Department of Public Utility Control pursuant to subdivision (2) of
190 this subsection. Each electric distribution company shall provide
191 electric generation services in accordance with such option to any
192 customer who affirmatively chooses to receive electric generation
193 services pursuant to the transitional standard offer or does not or is
194 unable to arrange for or maintain electric generation services with an
195 electric supplier. The transitional standard offer shall terminate on
196 December 31, 2006. While providing electric generation services under
197 the transitional standard offer, an electric distribution company may
198 provide electric generation services through any of its generation
199 entities or affiliates, provided such entities or affiliates are licensed
200 pursuant to section 16-245.

201 (B) The department shall conduct a proceeding to determine
202 whether a practical, effective, and cost-effective process exists under
203 which an electric customer, when initiating electric service, may
204 receive information regarding selecting electric generating services
205 from a qualified entity. The department shall complete such
206 proceeding on or before December 1, 2005, and shall implement the
207 resulting decision on or before March 1, 2006, or on such later date that
208 the department considers appropriate. An electric distribution
209 company's costs of participating in the proceeding and implementing
210 the results of the department's decision shall be recoverable by the
211 company as generation services costs through an adjustment
212 mechanism as approved by the department.

213 Sec. 7. Sections 16-246b, 16-246c and 16-246d of the general statutes

214 are repealed. (*Effective October 1, 2005*)"

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2005</i>	16-245p
Sec. 2	<i>October 1, 2005</i>	16-262i
Sec. 3	<i>October 1, 2005</i>	16-331c
Sec. 4	<i>October 1, 2005</i>	16-256i(f)
Sec. 5	<i>July 1, 2005</i>	7-374
Sec. 6	<i>July 1, 2005</i>	16-244c(b)(1)
Sec. 7	<i>October 1, 2005</i>	Repealer section